

Appl. No. 10/082,987
Amdt. dated September 22, 2005
Reply to Office action of June 22, 2005
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REMARKS

In the above referenced Office Action, the pending claims were rejected under 35 USC 102 and/or 35 USC 103. Applicant respectfully traverses these rejections and incorporates the remarks made in the previous responses by reference.

In summary, the Examiner has argued that having electrical contact positioned such that a wavefront generated between them places those leads into electrical contact with a tissue that the wavefront traverses. The Examiner has further argued that Applicant's previous amendment changing the terminology from "electrical contact" to "contact" still permitted the above interpretation. While Applicant respectfully traverses the present rejections and line of reasoning, the above amendments have been made to define the contact of the electrode as being in "physical" contact with the specified location. This amendment was essentially invited by the Examiner. As such, Applicant respectfully asserts that the claims are in condition for allowance and requests notice of the same.

Applicant respectfully reserves the right to re-present the unamended claims, original claims and/or any unclaimed subject matter in a subsequently filed continuing application without prejudice or disclaimer. Should any issues remain outstanding, the Examiner is requested to telephone the undersigned attorney to attend to these matters.

Respectfully submitted,

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